

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JOSEPH S. BARONE,

Plaintiffs,

DECLARATION

-against-

1:21-cv-131

THE LAWYERS' FUND, and
SUPREME COURT OF NEW YORK, APPELLATE
DIVISION THIRD DEPARTMENT,

(GTS/TWD)

Defendants.

I, Michael J. Knight, Sr., do hereby declare and affirm the following is true under penalty of perjury:

1. I am employed by Defendant The Lawyers' Fund for Client Protection of the State of New York ("The Lawyers' Fund") as Executive Director and Counsel. My office is located at 119 Washington Avenue, Albany, New York 12210.

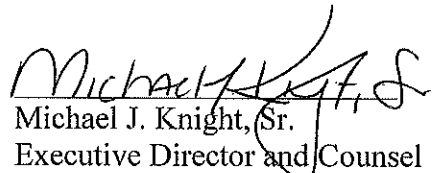
2. On March 9, 2021 at approximately 2:55 p.m., while at my office I received a hand-delivered package from a process server containing a Summons in a Civil Action and Complaint (or portion thereof) for this action, along with documents entitled "Proof of Service", "Notice", "General Order # 25", "Civil Case Management Plan", "Case Assignment Form", "Consent to the Exercise of Civil Jurisdiction By A Magistrate Judge" and "Notice, Consent, and Reference of a Civil Action to a Magistrate Judge". A full, true and complete copy of the contents of that package served on The Lawyers' Fund by hand-delivery to me on March 9, 2021 are attached hereto as **Exhibit "A"**.

3. As can be seen, the Complaint served on The Lawyers' Fund by Plaintiff in this matter, by hand-delivery to me on March 9, 2021, included pages 1 through 20 of said document. The copy of the Complaint served upon the Lawyers' Fund *via* that method lacked anything past

page 20, including any signature page, Verification and/or any attachments/exhibits.

4. I have caused a search to be made of the records maintained by The Lawyers' Fund to determine whether the Lawyers' Fund was served with any other copy of the Summons in a Civil Action and/or Complaint and/or other papers in this action. Having performed a diligent search, I have found that as of April 30, 2021, The Lawyers' Fund has not been served with any of Plaintiff's papers in this action by any means other than by way of the above-described package hand-delivered to me at my office on March 9, 2021. Thus, the only papers served upon The Lawyers' Fund by Plaintiff in this action are those attached hereto **as Exhibit "A"**.

Dated: April 30, 2021
Albany, New York


Michael J. Knight, Sr.
Executive Director and Counsel
NYS Lawyers' Fund